

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH BASH, et al,

Defendants.

Case No. 1:20-CR-00238-JLT-SKO

ORDER RE: DECLARATIONS OF
AUTHENTICITY UNDER FED. RULES
EVID. 902(11)

Having considered the arguments of counsel and the authorities cited by the defense and having reviewed the declarations of the custodians of records proffered by the government provided in response to subpoenas issued to T-Mobile (Bates # BASH_00017627, BASH_00023833, BASH_00022177, BASH_00017109, BASH_00022155) and to Google (Bates #BASH_00017494-BASH_00017496, BASH_00020035- BASH_00020038), the Court finds the associated documents are determined to be authentic without further evidentiary showing. Because they meet the requirements of Fed. Evid. Code Rule 803(6), the Court finds also that these documents are business records.

Having considered the arguments of counsel and the authorities cited by the defense and having reviewed the declarations of the custodians of records proffered by the government provided in response to subpoenas issued to Meta (as to account identifiers 100010052803775, 1654490352, 100075005176426, 100077988640295) and Google (Bates # BASH_00046618-

1 Bates # BASH_00046622), the Court finds the associated documents are determined to be
2 authentic without further evidentiary showing. As discussed at trial, evidence such as who set up
3 these accounts, who controlled them or who used them, etc., is not determined by this order and,
4 the finding here as to these accounts does not alone demonstrate their admissibility. Rather, the
5 proffered declarations show only that these records are authentic “snapshots” of these accounts
6 for the relevant period as produced by Meta and Google.

7
8 IT IS SO ORDERED.

9 Dated: **January 25, 2025**


UNITED STATES DISTRICT JUDGE